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10/732,909	12/10/2003	Ira Marlow	99879-00006	6895

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EXAMINER	
KURR, JASON RICHARD	
ART UNIT	PAPER NUMBER
2614	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/732,909	MARLOW, IRA	
	Examiner	Art Unit	
	JASON R. KURR	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 January 2011*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-5,7,9-19,21 and 23-49* is/are pending in the application.

4a) Of the above claim(s) *42-49* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-5,7,9-19,21 and 23-41* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 3-5, 7, 9, 12-15, 18-19, 21, 24-28, 30, 32-36 and 39-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Juntunen et al (US 6163711) in view of Kindo et al (US 2003/0069000 A1).

With respect to claim 1, Juntunen discloses a docking station (fig.1 #50) for docking and integrating a portable device (fig.1 #1) for use with a car stereo (fig.1 #3), comprising: a base portion (fig.7 #56) for receiving a portable device external to a car stereo (col.4 ln.40-42); a bottom member (fig.7 “4-walled housing including keyhole #54”) connected to the base portion and defining a cavity for receiving a portable device (col.4 ln.25-34); and an integration device (fig.1 #2) positioned within the base portion for integrating a portable device with a car stereo (col.4 ln.47-62), wherein the docking station is positioned remotely from a car stereo (fig.1). Juntunen does not disclose expressly wherein the integration device allows a user of the car stereo to remotely control the portable device using the controls of the car stereo when the portable device is docked within the docking station.

Kindo discloses a docking station (fig.1 #110) for docking and integrating a portable device (fig.1 #90) wherein an integration device (fig.1 #111)(pg.1 [0014-0015]) allows a user of a car stereo (fig.1 #112,113) to remotely control the portable device using the controls (fig.1 #112) of the car stereo (pg.1 [0016]). At the time of the invention it would have been obvious to a person of ordinary skill in the art to allow a user to answer phone calls of the system of Juntunen through a voice controlled input of the car stereo system as provided by Kindo. The motivation for doing so would allow a driver to answer a telephone call and commence a conversation while paying attention to driving. This would allow a user complete hands-free operation of a vehicle cell phone.

With respect to claim 3, Juntunen discloses the apparatus of claim 1, wherein the base portion comprises a connector (fig.7 #58) for connecting the integration device with the portable device.

With respect to claim 4, Juntunen discloses the apparatus of claim 1, further comprising a cable interconnected at one end to the integration device and at an opposite end to a car stereo (col.3 ln.25-42).

With respect to claim 5, Juntunen discloses the apparatus of claim 1, wherein the integration device is wirelessly connected to a car stereo (col.2 ln.38-54).

With respect to claim 7, Juntunen discloses the apparatus of claim 1, wherein the portable device comprises a CD player, CD changer, MP3 player, Digital Audio Broadcast (DAB) receiver, portable video device (col.3 ln.3-5), or a satellite receiver.

With respect to claim 9, Juntunen discloses the apparatus of claim 1, wherein the integration device comprises a circuit board housed in the base portion (col.4 ln.46-51).

With respect to claim 12, Juntunen discloses the apparatus of claim 1, wherein the integration device is connected to the car stereo using a bus connection (fig.2 #5).

With respect to claim 13, Juntunen discloses the apparatus of claim 1, wherein the car stereo is an Original Equipment Manufacturer (OEM) or after-market car stereo. It is inherent that the wireless radio communication of Juntunen would be compatible with any tunable (OEM) car stereo.

With respect to claim 14, Juntunen discloses the apparatus of claim 1, further comprising one or more auxiliary input ports connected to the integration device for integrating additional portable devices external to the docking station (col.6 ln.55-64).

With respect to claim 15, Juntunen discloses a method for docking and integrating a portable device (fig.1 #1) for use with a car stereo (fig.1 #3), comprising: providing a docking station (fig.1 #50) having a base portion (fig.7 #56), a bottom member (fig.7 “4-walled housing”) connected to the base portion (col.4 ln.25-34), and an integration device (fig.1 #2) housed within the base portion; inserting a portable device into the docking station and connecting the portable audio device to a connector (fig.7 #58) on the base portion; positioning the docking station remotely from a car stereo (fig.1); and integrating the portable device with the integration device for use with a car stereo (col.4 ln.41-52). Juntunen does not disclose expressly wherein the integration device allows a user of the car stereo to remotely control the portable device using the controls of the car stereo when the portable device is docked within the docking station.

Kindo discloses a docking station (fig.1 #110) for docking and integrating a portable device (fig.1 #90) wherein an integration device (fig.1 #111)(pg.1 [0014-0015]) allows a user of a car stereo (fig.1 #112,113) to remotely control the portable device using the controls (fig.1 #112) of the car stereo (pg.1 [0016]). At the time of the invention it would have been obvious to a person of ordinary skill in the art to allow a user to answer phone calls of the system of Juntunen through a voice controlled input of the car stereo system as provided by Kindo. The motivation for doing so would allow a driver to answer a telephone call and commence a conversation while paying attention to driving. This would allow a user complete hands-free operation of a vehicle cell phone.

With respect to claim 18, Juntunen discloses the method of claim 15, further comprising interconnecting the integration device with the car stereo with a cable (col.3 ln.25-42).

With respect to claim 19, Juntunen discloses the method of claim 15, further comprising establishing a wireless connection between the integration device and the car stereo (col.2 ln.38-54).

With respect to claim 21, Juntunen discloses the apparatus of claim 15, wherein the portable device comprises a CD player, CD changer, MP3 player, Digital Audio Broadcast (DAB) receiver, portable video device (col.3 ln.3-5), or a satellite receiver.

With respect to claim 24, Juntunen discloses the method of claim 15, further comprising connecting the integration device to the car stereo using a bus connection (fig.2 #5).

With respect to claim 25, Juntunen discloses the apparatus of claim 15, wherein the car stereo is an Original Equipment Manufacturer (OEM) or after-market car stereo. It is inherent that the wireless radio communication of Juntunen would be compatible with any (OEM) car stereo.

With respect to claim 26, Juntunen discloses the method of claim 15, further comprising connecting an external portable device to an auxiliary input port (fig.5 #35) on the docking station and integrating the external portable device with the car stereo (col.6 ln.55-64).

With respect to claim 27, Juntunen discloses the method of claim 1, wherein the docking station is mountable within a vehicle (fig.1).

With respect to claim 28, Juntunen discloses the method of claim 15, further comprising mounting the docking station in a vehicle (fig.1).

With respect to claim 30, Juntunen discloses a docking station (fig.1 #50) for docking and integrating a portable device (fig.1 #1) for use with a car stereo (fig.1 #3), comprising: a base portion (fig.7 #56) for receiving a portable device external to a car stereo (col.4 ln.40-42); a bottom member (fig.7 “4-walled housing”) connected to the base portion and defining a cavity for receiving a portable device (col.4 ln.25-34); and an integration device (fig.1 #2) connected to the base portion and in electrical communication with a car stereo and a portable device for integrating a portable device with a car stereo (col.4 ln.47-62), wherein the docking station is positioned remotely from the car stereo (fig.1). Juntunen does not disclose expressly wherein the integration device allows a user of the car stereo to remotely control the portable device

using the controls of the car stereo when the portable device is docked within the docking station.

Kindo discloses a docking station (fig.1 #110) for docking and integrating a portable device (fig.1 #90) wherein an integration device (fig.1 #111)(pg.1 [0014-0015]) allows a user of a car stereo (fig.1 #112,113) to remotely control the portable device using the controls (fig.1 #112) of the car stereo (pg.1 [0016]). At the time of the invention it would have been obvious to a person of ordinary skill in the art to allow a user to answer phone calls of the system of Juntunen through a voice controlled input of the car stereo system as provided by Kindo. The motivation for doing so would allow a driver to answer a telephone call and commence a conversation while paying attention to driving. This would allow a user complete hands-free operation of a vehicle cell phone.

With respect to claim 32, Juntunen discloses the apparatus of claim 30, wherein the base portion comprises a connector (fig.7 #58) for connecting the integration device with the portable device.

With respect to claim 33, Juntunen discloses the apparatus of claim 30, further comprising a cable interconnected at one end to the integration device and at an opposite end to a car stereo (col.3 ln.25-42).

With respect to claim 34, Juntunen discloses the apparatus of claim 30, wherein the integration device is wirelessly connected to a car stereo (col.2 ln.38-54).

With respect to claim 35, Juntunen discloses the apparatus of claim 30, wherein the portable device comprises a CD player, CD changer, MP3 player, Digital Audio Broadcast (DAB) receiver, portable video device (col.3 ln.3-5), or a satellite receiver.

With respect to claim 36, Juntunen discloses the apparatus of claim 30, wherein the integration device comprises a circuit board housed in the base portion (col.4 ln.46-51).

With respect to claim 39, Juntunen discloses the apparatus of claim 1, wherein the integration device is connected to the car stereo using a bus connection (fig.2 #5).

With respect to claim 40, Juntunen discloses the apparatus of claim 1, wherein the car stereo is an Original Equipment Manufacturer (OEM) or after-market car stereo. It is inherent that the wireless radio communication of Juntunen would be compatible with any (OEM) car stereo.

With respect to claim 41, Juntunen discloses the apparatus of claim 1, further comprising one or more auxiliary input ports (fig.5 #35) connected to the integration device for integrating additional portable devices external to the docking station (col.6 ln.55-64).

Claims 2, 11, 16-17, 31 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Juntunen et al (US 6163711) in view of Kindo et al (US 2003/0069000 A1) and in further view of Kerner et al (US 5897155).

With respect to claim 2, Juntunen discloses the apparatus of claim 1, however does not disclose expressly wherein a top member is hingedly connected at an edge to the base portion.

Kerner discloses a center console of a motor vehicle comprising a top member (fig.2 #12) that is hingedly connected (fig.2 #13) at an edge to a base portion (fig.2 #10). At the time of the invention it would have been obvious to a person of ordinary skill in the art to mount the docking station of Juntunen within the console of Kerner. The motivation for doing so would have been to provide a closeable case that can reduce risks of damage to the portable device while in the docked position, and to keep the portable device out of sight to prevent theft.

With respect to claim 11, Juntunen discloses the apparatus of claim 2, wherein the top member is pivotable away from the bottom member to allow access to the portable audio device (Kerner: col.3 ln.15).

With respect to claim 16, Juntunen discloses the method of claim 15, however does not disclose expressly further comprising providing a top member connected to the base portion and pivotable away from the bottom member prior to inserting the portable audio device into the docking station.

Kerner discloses a center console of a motor vehicle comprising a top member (fig.2 #12) that is hingedly connected (fig.3 #13) at an edge to a base portion (fig.2 #10). At the time of the invention it would have been obvious to a person of ordinary skill in the art to mount the docking station of Juntunen within the console of Kerner. The motivation for doing so would have been to provide a closeable case that can reduce

risks of damage to the portable device while in the docked position, and to keep the portable device out of sight to prevent theft.

With respect to claim 17, Juntunen discloses the method of claim 16, further comprising closing the top member to retain the portable audio device in the docking station (Kerner: col.3 ln.15).

With respect to claim 31, Juntunen discloses the apparatus of claim 30, however does not disclose expressly further comprising a top member hingedly connected at an edge to the base portion.

Kerner discloses a center console of a motor vehicle comprising a top member (fig.2 #12) that is hingedly connected (fig.3 #13) at an edge to a base portion (fig.2 #10). At the time of the invention it would have been obvious to a person of ordinary skill in the art to mount the docking station #12 of Juntunen within the console of Kerner. The motivation for doing so would have been to provide a closeable case that can reduce risks of damage to the portable device while in the docked position, and to keep the portable device out of sight to prevent theft.

With respect to claim 38, Juntunen discloses the apparatus of claim 31, however the top member is pivotable away from the bottom member to allow access to the portable audio device (Kerner: col.3 ln.15).

Claims 10, 23, 29 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Juntunen et al (US 6163711) in view of Kindo et al (US 2003/0069000 A1) and in view of Miyazaki et al (US 6163079).

With respect to claim 10, Juntunen discloses the apparatus of claim 1, however does not disclose expressly wherein the docking station is mountable in a vehicle trunk.

Miyazaki discloses an automobile audio system wherein a docking station (fig.1 #38) is mountable in the trunk (col.4 ln.11-14). At the time of the invention it would have been obvious to a person of ordinary skill in to mount the docking station of Juntunen in the trunk of a vehicle as disclosed by Miyazaki. The motivation for doing so would have been for applications wherein a primary listening position of a user would be located outside of the vehicle, in situations where the vehicle is parked.

With respect to claim 23, Juntunen discloses the method of claim 15, however does not disclose expressly wherein the apparatus further comprises mounting the docking station in a vehicle trunk.

Miyazaki discloses an automobile audio system wherein a docking station (fig.1 #38) is mountable in the trunk (col.4 ln.11-14). At the time of the invention it would have been obvious to a person of ordinary skill in to mount the docking station of Juntunen in the trunk of a vehicle as disclosed by Miyazaki. The motivation for doing so would have been for applications wherein a primary listening position of a user would be located outside of the vehicle, in situations where the vehicle is parked.

With respect to claim 29, Juntunen discloses the method of claim 28 however does not disclose expressly further comprising mounting the docking station in a vehicle trunk.

Miyazaki discloses an automobile audio system wherein a docking station (fig.1 #38) is mountable in the trunk (col.4 ln.11-14). At the time of the invention it would have

been obvious to a person of ordinary skill in to mount the docking station of Juntunen in the trunk of a vehicle as disclosed by Miyazaki. The motivation for doing so would have been for applications wherein a primary listening position of a user would be located outside of the vehicle, in situations where the vehicle is parked.

With respect to claim 37, Juntunen discloses the apparatus of claim 30, however does not disclose expressly wherein the docking station is mountable in a vehicle trunk.

Miyazaki discloses an automobile audio system wherein a docking station (fig.1 #38) is mountable in the trunk (col.4 ln.11-14). At the time of the invention it would have been obvious to a person of ordinary skill in to mount the docking station of Juntunen in the trunk of a vehicle as disclosed by Miyazaki. The motivation for doing so would have been for applications wherein a primary listening position of a user would be located outside of the vehicle, in situations where the vehicle is parked.

Response to Arguments

Applicant's arguments filed January 20, 2011 have been fully considered but they are not persuasive.

With respect to the independent claims 1, 15 and 30, the Applicant traverses the rejections under Juntunen in combination with Kindo. The Applicant argues that Kindo does not disclose a docking station which includes an integration device that allows a user to remotely control a portable device external to a car stereo using the controls of the car stereo. The Applicant states that the element #112 of Kindo is not a car stereo, nor is it a control of a car stereo. The Examiner disagrees and maintains the position set

forth in the previous office action. The present claim language does not define the term portable device so as to exclude the interpretation of a cellular phone as a portable device. The control unit #112 is part of the hands free device #110 which is the audio control unit of the vehicle. Audio Unit #40 is merely a source of the audio signals to be used in conjunction with the hands-free device #110. The Examiner has not relied upon audio unit #40 as the car stereo, rather the hands-free unit #110.

In response to applicant's argument that the resulting combination would not be what is claimed, the fact that applicant has recognized another advantage which would flow naturally from following the suggestion of the prior art cannot be the basis for patentability when the differences would otherwise be obvious. See *Ex parte Obiaya*, 227 USPQ 58, 60 (Bd. Pat. App. & Inter. 1985).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JASON R. KURR whose telephone number is (571)272-0552. The examiner can normally be reached on M-F 10:00am to 6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on 571-272-7848. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jason R Kurr/
Examiner, Art Unit 2614

/VIVIAN CHIN/
Supervisory Patent Examiner, Art Unit 2614